IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.626 OF 2007

Dr.Mohamed Asadullah Baig and Ors. ..Applicants

Vs.

State of Maharashtra & Anr. ..Respondents

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Mr.A.H.H.Ponda counsel for Applicants
Mr.A.S.Shitole A.P.P. for the State
Mr.Mubin Solkar for Respondent No.2

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 9, 2007

P.C.

1. Heard the learned counsel for the applicants-original accused, learned counsel for the respondent no.2-original complainant, the learned A.P.P. for the State.

2. The applicants are seeking quashing of C.C.No. 587/PW/2005 which is pending before the learned Metropolitan Magistrate, 17th Court, Mazgaon, Mumbai. The said case pertains to C.R.No.70 of 2005 of Byculla Police Station. The said case is under Section 498-A, 406, 506-II of IPC. The learned counsel for the respondent no.2 states that

parties have amicably settled the dispute and the complainant does not wish to persue her complaint. The complainant has also stated that she does not wish to pursue her complaint and the case may be quashed. In view of this statement, and in view of the decision of the Apex Court in the case of **B.S.Joshi and another Vs. State of Haryana and another reported in Judgment Today 2003(3) S.C. 277,** Case No. 587/PW/2005 pending before the learned Metropolitan Magistrate, 17th Court, Mazgaon, Mumbai pertaining to C.R.No.70 of 2005 of Byculla Police Station, is quashed. The bail bonds of the applicants shall stand cancelled. In view of the fact that the case is quashed, the passports of applicant nos.1 and 3 which have been seized by the Investigating Agency i.e. Byculla Police Station, be returned to them.

3. Application is disposed of.

[V.K.TAHILRAMANI,J]